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THIS MESSAGE HAS 7 PAGES INCLUDING THIS SHEET

TO: Ms. Durham

FAX NO.: 703-308-7751

FROM: Laura Crater for Eamon Wall, Reg. #39,414

DATE: 12/5/01

MATTER: DIVA/006DIV1

Dear Ms. Durham:

Further to our telephone conversation earlier today, attached are the papers in support of our request for a February 12, 2001 filing date. The application was filed by Express Mail on February 12, 2001 per the Express Mail Certification of Michael Civil and per the Post Office stamp on the Express Mail Label. The date written in on the Express Mail Label is wrong and, in any event, is a Saturday.

If you have any questions or comments, please call. Otherwise, we look forward to receiving a CORRECTED FILING RECEIPT. Thank you for your help.

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PATENT APPLICATION

Applicant: Gordon et al.
Case no.: DIVA/006 DIV1
Serial No.: 09/781,483 Filed: February 12, 2001
Group Art Unit: 2173
Title: METHOD AND APPARATUS FOR PROVIDING A MENU
STRUCTURE FOR AN INTERACTIVE INFORMATION
DISTRIBUTION SYSTEM

ASSISTANT COMMISSIONER FOR PATENTS
Office of Initial Patent Examination's
Customer Service Center
Washington, D. C. 20231

S I R:

SECOND REQUEST FOR CORRECTED FILING RECEIPT

Enclosed are REQUEST FOR CORRECTED FILING RECEIPT and postal card receipt. To date, Applicants have not received the requested CORRECTED FILING RECEIPT. Please issue the CORRECTED FILING RECEIPT. If the Office has any questions respecting this request, please call the undersigned at 732-530-9404.

Respectfully submitted,

10/2/01E J Wall

Eamon J. Wall
Reg. No. 39,414
(732) 530-9404

MOSER, PATTERSON & SHERIDAN, LLP
Attorneys at Law
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702
732-530-9404

CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited
on 10/2/01 with the United States Postal
Service as first class mail, with sufficient postage, in an
envelope addressed to the Assistant Commissioner for Patents,
Office of Initial Patent Examination's Customer Service Center,
Washington, D.C. 20231.

Kevin Elchert
Signature

10/2/01
Date of signature

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THOMASON, MOSER & PATTERSON, LLP

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PATENT APPLICATION

Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

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APPLICATION TRANSMITTAL AND CHANGE OF ADDRESS

Sir:

Enclosed herewith for filing under the provisions of 37 CFR §1.53(b) is the following divisional patent application. This application is a divisional of commonly assigned pending U.S. patent application Serial No. 08/984,427, filed on December 3, 1997, which application claims the benefit of U.S. provisional patent application Serial No. 60/034,490, filed on January 13, 1997; applicants claim the benefit of such prior U.S. applications under 35 U.S.C. §120 and/or 35 U.S.C. §119:

Applicant(s): Donald Gordon, Christopher Goode, Philip A. Thomas, Mark D. Conover and Brooks Cole

Title of application: METHOD AND APPARATUS FOR PROVIDING A MENU STRUCTURE FOR AN INTERACTIVE INFORMATION DISTRIBUTION SYSTEM

Pages of specification: 33 (30 + 2 pages of claims and 1 page abstract)

Sheets of drawing: 20

Executed on: 2/10/98 by inventor Gordon; 2/5/98 by inventor Goode, 2/25/98 by inventor Thomas, 2/5/98 by inventor Conover, and 8/19/98 by inventor Cole

Docket No.: DIVA/006 DIV1

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PATENT APPLICATION FILING FEE CALCULATION				
	<u>No. Filed</u>	<u>Less</u>	<u>Rate/Claim</u>	<u>Fee</u>
Total Claims	6	-20	0 x \$18.00	\$ 000.00
Independent Claims	2	- 3	0 x \$80.00	\$ 000.00
Minimum Filing Fee				\$ 710.00
Multiple Dependency Fee (if applicable - \$270.00)				\$ 000.00
50% Reduction for Small Entity (Independent Inventor, Non-profit Corporation, or Small Business Concern) - appropriate verified statement attached				-\$ 355.00
TOTAL FILING FEE				\$ 355.00

Kindly charge the entire and any additional filing fee, as appropriate, to deposit account 20-0782. To facilitate that charge, a duplicate copy of this letter is enclosed herewith.

Kindly send all correspondence relating to this application to the following address:

CUSTOMER #26,291
THOMASON, MOSER & PATTERSON, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702

Also enclosed herewith for filing in connection with the enclosed application are:

____ Oath;
XX A copy of the executed Declaration for prior application
Serial No. 08/984,427, filed December 3, 1997;
Disclosure Statement; **this application is a divisional**
of allowed prior application No. 08/984,427, filed on
December 3, 1997;
____ Letter referencing previously filed disclosure
document; number _____ filed _____;
XX Applicants claim small entity status;
XX Claim(s) to priority under 35 U.S.C. § 120:

<u>Serial Number</u>	<u>Filing date</u>
08/984,427	12/03/97
60/034,490	01/13/97

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No abandonment or termination of proceedings has occurred in Serial No. 08/984,427.

XX The assignment of the prior application Serial No. 08/984,427 from the co-inventors to DIVA Systems Corp. remains in effect for the subject divisional application.

— A certified copy of a _____ patent application or inventor's certificate, filed _____ and serial no. _____, upon which a claim to priority is made;
Preliminary Amendment

XX 20 Sheets Formal Drawings

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Respectfully submitted,

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2/12/01*E J Wall*

Eamon J. Wall, Attorney

Reg. No. 39,414

(732) 530-9404

Thomason, Moser & Patterson LLP
Attorneys at Law
595 Shrewsbury Avenue, Suite 100
Shrewsbury, NJ 07702

EXPRESS MAIL CERTIFICATION

"Express Mail" mailing label number: EL736883222US

Date of deposit: 02/12/01

I hereby certify that this patent application and related papers is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Michael Civil

Signature of person mailing paper or fee

MICHAEL CIVIL

Name of person mailing paper or fee